

COMMISSION VISIONING PROCESS

Selection of Visioning Facilitator

(name of selected contractor not available at time of print of agenda)

Timeline:

- Formal Request for Proposals released October 14, 2005.
- Notice of Intent to Award Contract posted November 11, 2005.
- Contract Development/Authorization to proceed November 21, 2005.

Review Team:

- Commissioners McGowan and Ferguson.
- Executive Director, Linda Fiack

Contract and Scope of Work

Contract Terms:

- Commence November 21, 2005.
- Not to exceed \$10,000.
- Deliverables will include Document Summary, Business Plan, and Implementation Guide by March 30, 2006.
- Amount of contract to be reimbursed to Commission by member entities (prorated amounts to be determined).

Scope of Work to be Completed:

- Review previous discussions/plans and interview Commissioners, staff and identified stakeholders (November 05/December 05).
- Complete document review and data collection (December 05/January 06).
- Design and facilitate Strategic Planning Session, and complete Business Plan and Implementation Guide (January 06-March 06).

Selection of Funding Facilitator

Because the anticipated amount of the funding facilitator contract would not exceed \$5,000, it is not necessary to complete a formal bid process. The review team is considering the qualifications of interested consultants.

Visioning Ad Hoc Committee

Pursuant to discussion at the September 22, 2005 Commission meeting, Commission members were invited to participate in the formation of an ad hoc committee to oversee the process. Only Commissioners McGowan and Ferguson expressed an interest in being on the committee. Staff is therefore recommending that the Commission appoint Commissioners McGowan and Ferguson to serve as the Visioning Ad Hoc Committee.

SECTION A

INTRODUCTION

A-1 Agency Mission – The mission of the Delta Protection Commission is to guide the protection of the California Delta's unique natural quality, cultural viability, economic vitality, and recreational opportunity through:

- Protection, maintenance, and enhancement and restoration of the overall quality of the Delta environment including agriculture, wildlife habitat, and recreational activities;
- Findings, policies, and recommendations in the areas of environment, utilities and infrastructure, land use, agriculture, water, recreation and access, levees, and marine patrol/boater education/safety programs; and
- Assurance of orderly, balanced conservation and development of Delta land resources.

A-2 Agency Vision – The vision of the Delta Protection Commission is a region in which the essential land uses and unique natural qualities flourish in self-sustaining harmony.

A-3 Cost – It is the intent of the DPC to award a not-to-exceed contract based on fixed hourly rate. The hourly bid price shall include all labor, travel, materials, equipment, and every other item of expense incidental to the performance of the contract. Travel costs shall be paid separately from this agreement at the rate for State Excluded Employees. **The Cost Proposal shall be contained in a separate sealed envelope and marked “Sealed Cost Proposal – DO NOT OPEN”.** A cost proposal form is provided in Attachment II, Sample Cost Proposal Worksheet. To assist the Bidders in preparing the hourly rate, the DPC staff has estimated that the project will require a maximum of 100 hours. No warranty is made, written or implied as to the total work to be performed pursuant to the Agreement.

A-4 Term – The term of the Agreement will be one year with option to renew for an additional two years on a year-to-year basis with no increase in cost for the services. The work is expected to begin approximately in November 21, 2005 subject to any necessary State control agency approvals. Actual work on the Agreement shall not begin until written notification is received from the State Project Manager assigned to this project.

A-5 Scope of Work – The object of this RFP is to contract for consulting services to provide expertise and guidance in the review and possible modification of the current Mission and Vision, and the development and implementation of a Business Plan to carry out the articulated Vision of the Delta Protection Commission.

The scope of the work for the contract will include, but is not limited to:

- Review Previous Discussions/Plan (November 05/December 05)
- Interview Commission Members, staff, and primary stakeholders (November 05/December 05)
- Complete document review and data collection (December 05/January 06)
- Design and facilitate Strategic Planning Session/Complete Business Plan and Implementation Guide (January 06 - March 06)

Deliverable will be a completed document summary, Business Plan, and Implementation Guide

SECTION B

GENERAL INFORMATION

All bidders must adhere to the instructions as indicated. Proposals shall contain the following information in the order presented and must be sent to the address shown in the “**Notice to Prospective Bidders**”, cover page.

B-1 Proposal Requirements – Proposals should clearly articulate the bidders understanding of its role as facilitator for the Project. This portion of the submission should be limited to no more than three (3) pages, minimum 11pt font.

The proposal must be complete and accurate. Proposals must be submitted for the performance of all the services described herein. Any deviation from the work specifications will not be considered and will be sufficient cause for rejection of proposal.

Bidders should carefully examine work sites and specifications. Bidder shall investigate conditions, character, and quality of surface or subsurface materials or obstacles that might be encountered. No additions or increases to the agreement amount will be made due to a lack of careful examination of work sites and specifications.

Bidders are cautioned to not rely on the State during the evaluation to discover and report to the bidder any defects and errors in the submitted documents. Bidders should carefully proof them for errors and adherence to the RFP requirements before submitting their documents.

B-2 Minimum Qualifications for Bidders – The Bidders must meet and provide evidence of the following minimum qualification:

- Knowledge of Delta geography, communities, and significant issues.
- Understanding of agriculture, habitat, and recreation values of the Delta
- Knowledge of Delta Protection Act, and Land Use and Resources Management Plan for the Primary Zone of the Delta.
- Demonstrated familiarity with local and statewide plans and entities relevant to management of Delta and to the Delta Protection Commission
- Demonstrated understanding of water and levee management agencies.
- Experience working with Commission Member entities, including those responsible for water management.
- Demonstrated understanding of Bagley-Keene Open Meeting Act and ability to facilitate participation of elected officials within the restrictions and parameters of the Act.

B-3 Qualifications of the Firm/Organizational Development Experience – Describe the qualifications of the firm and provide evidence of the following qualification:

- Strategic and operational planning retreats and processes for boards and senior management teams.
- Team building for executive teams and intact work group at every organizational level.
- Change and transition management consultation.
- Board development workshops and retreats.
- Community-based Visioning.
- Conflict resolution/mediation with individuals, teams, and boards, including elected officials.

- Organization-wide Survey/Feedback interventions.

B-4 Resume and References – The following information must be included in the proposal package:

- 1) Resumes for all individuals, including lead and support personnel, to be employed for this project.
- 2) A minimum of at least two client references for similar projects which is the subject of this RFP. The references should include the name, address and telephone number of the client, or of an individual within the client firm or agency, able to appraise the bidder's performance. (See Attachment 3)

B-5 Work Plan/Work Schedule – The bidder shall propose a work plan or schedule for task completion. Each major task should indicate all necessary subtasks and identify specific milestones by which progress can be measured and payments made.

B-6 Selection Criteria – Proposals will be evaluated to determine how well the bidder's proposal meets the following:

- 1) Professional experience of the individual or firm in relation to the work to be performed.
- 2) Professional experience and academic background of the principals to be assigned to the project.
- 3) Demonstrated competence and experience of the individual or firm relevant to this project.
- 4) Reliability of the individual or firm and longevity of the proposed firm's staff.
- 5) Individual or firm's workload and demonstrated ability to meet schedules.

B-7 Proposal Evaluation Process – The proposal evaluation process shall consist of two (2) phases:

Phase 1 – We will be using a point count method to select a consultant. Under this process, an evaluation committee reviews all proposals received within the time limits set forth in this RFP to ensure that each meets the format requirements. The committee then evaluates each proposal using the point system laid out below.

Members of the evaluation committee who will review the Proposals will be appointed by the Executive Director of the Delta Protection Commission. The members of this panel will be staff of the respective Commission's and may include representatives of other agencies. Each panel member will independently review the written Proposals. The members will then meet as a committee to discuss the evaluations of each member and come to a consensus score for each proposal.

Members of the evaluation committee will determine whether the proposal has followed the requirements and will disqualify proposals that do not. The proposal will be presumed to be a representation of the quality of work done by those submitting it. Accordingly, committee members may reject from further consideration those proposals that contain excessive "jargon", bad sentence or paragraph structure or an unreasonable number of misspellings or typos.

Phase 2 - This phase will be the opening of the sealed bid cost proposals. The Agreement will be awarded to the bidder achieving the highest point score for a proposal meeting all requirements and criteria as stated in the RFP.

B-8 Scoring System – The highest point score awarded will be based on the information provided by the Consultant meeting all requirements and criteria as stated in the RFP. Responsiveness to the requirements of the RFP, especially in adhering to the required format, ease of understanding and conciseness and clarity of the proposal is of utmost importance.

- 1) Technical Proposal Points 50
 - a. Completeness of work plan and proposal content. (20 points)
 - b. Demonstrated knowledge of the resources available to complete a report addressing the issues in the scope of work requested. (10 points)
 - c. Level of understanding of the services requested as evidenced by the written work plan and proposal content. (20 points)
- 2) Qualifications and Experience Points 100
 - a. Ability of the individual or firm to perform the work required, as demonstrated by the submitted resume(s), references, and work plan. (20 points)
 - b. Firm's experience in working in large regions with diverse interest groups. (20 points)
 - c. Professional qualifications, educational background, and current professional designations related to the scope of work requested. (20 points)
 - d. Knowledge of Delta geography, communities, and significant issues. (20 points)
 - e. Demonstrated understanding of Bagley-Keene Open Meeting Act and ability to facilitate participation of elected officials within the restrictions and parameters of the Act. (20 points)
- 3) Cost Points 100

This phase consists of opening and evaluating cost proposals.

The lowest bid on a qualified proposal under the provisions of this RFP will receive the highest points. Each remaining Consultant will receive points determined by multiplying 100 by the result of dividing the low bid by its bid. All scores will be truncated down to the nearest integer.

Example:

The lowest bid is \$50.00 per hour and another bid is \$60.00 per hour, the low bidder would receive 100 points. The other proposal would receive $(50/60) \times 100 = 84$ points

B-9 Submission of Proposal

- 1) A minimum of the original and 3 copies of the proposal must be submitted.
- 2) The original proposal must be marked "ORIGINAL COPY". All documents contained in the original proposal package must have original signatures and must be signed by a person who is authorized to bind the proposing firm.
- 3) All proposals must include the documents identified in the Required Attachment Checklist. Proposals not including the proper "required attachments" shall be deemed non-responsive. A non-responsive proposal is one that does not meet the basic proposal requirements and will be rejected.
- 4) All proposals must be submitted in a **sealed envelope** and delivered to California State Lands Commission on or before the due date and time for this RFP. Proposals received after the date and time posted for this RFP will not be considered.
- 5) The proposal envelopes must be plainly marked with the RFP number and title, your firm name and address, and must be marked with "DO NOT OPEN", as shown in the following example:

(RFP Number and Title)
(Your Firm Name)
(Your Firm Address)
- DO NOT OPEN -

- 6) Mail or deliver proposals to the following address:

U.S. Postal Service Deliveries or Hand Deliveries

(UPS, Express Mail, Federal Express)

California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825
Attn: Annabell Abeleda

- 7) Bidders are solely responsible for insuring delivery of their proposal no later than the date and time specified in this RFP. Use of the U.S. Postal Service, express or overnight delivery, or any other service which might result in delayed delivery shall not relieve the bidders from the conditions of the specified deadline. It is the State's policy to make every effort to ensure that all proposals have been received and properly time stamped; however, bidders are ultimately responsible for ensuring timely receipt of their proposal at the address stated above. Bidders may verify receipt of their proposal by contacting the name specified above at (916) 574-1871.
- 8) If the proposal is made under a fictitious name or business title, the actual legal name of the bidder must be provided. Proposals not submitted in a sealed envelope and marked as indicated will be rejected.

B-10 Award and Protest – The agreement shall be awarded to the responsible bidder achieving the highest point score for a proposal meeting all requirements.

After posting the Notice of Intent to Award, all proposals and evaluation sheet will be available for public inspection. Interested parties should contact the Contracts Office at (916) 574-1871.

All proposals and all evaluation and scoring sheets shall be available for public inspection at the conclusion of the committee scoring process. (PCC 10344(b)(2), 10377(b)(2))

All bidders are advised that should this RFP result in award of an Agreement, the Agreement will not be in force until it is approved and fully executed by the State of California.

If no proposals are received containing bids offering a price, which in the opinion of the state agency is a reasonable price, the state agency is not required to award an Agreement.
(PCC 10344 (d), 10377 (d))

B-11 Proposal Modification – After submitting a proposal it may be modified or withdrawn as follows:

- 1) A bidder may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline. Proposal modifications offered in any other manner, oral or written, will not be considered.
- 2) The withdrawal of a proposal requires written notification, which must be signed by an agent authorized in accordance with **Section B-12, Authorized Signatures**.
- 3) The State reserves the right to reject all proposals for reasonable cause. A proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The State may reject any or all proposals and may waive any immaterial deviation in a proposal. The State's waiver of immaterial defect shall in no way modify the RFP document or excuse the bidder from full compliance with all requirements if awarded the contract. If all proposals are too high in cost, the agency is not required to award the contract.
- 4) The State may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package.

B-12 Authorized Signatures – An individual who is authorized to bind the proposing firm contractually shall sign the Proposal/Bidder Certification Sheet. The signature must indicate the title or position that the individual holds in the firm. An unsigned proposal may be rejected.

B-13 Disqualification of Proposals – More than one proposal from an individual, a firm or partnership, a corporation or an association under the same or different names, will not be considered. Reasonable ground for believing that any bidder is interested in more than one proposal for the work contemplated will cause the rejection of all proposals in which such bidder is interested. If there is reason for believing that collusion exists among the bidders, none of the participants in such collusion will be considered in this or future proposals.

B-14 Disposition of Proposals – Bids are public upon bid opening, however; the contents of all proposals, draft bids, correspondence, agenda, memoranda, working papers, or any other medium which discloses any aspect of a bidder's proposal shall be held in the strictest confidence until the "Letter of Intent" is posted.

Proposal packages may be returned only at the bidder's expense, unless such expense is waived by the State.

B-15 Standard Agreement Language – Bidder's should carefully review the terms of this contract and become familiar with its language. This will substantively be the contract that will be entered into between the State and the Contractor.

B-16 Agreement Execution and Performance – The Successful Bidder/Contractor is required to sign and return the agreement, as provided herein, within five (5) working days after receipt of the agreement for Contractor's signature. If the agreement is not returned as stated, it shall be just cause for the annulment of the award. If the Contractor refuses or fails to sign and return the Agreement, the agreement may be awarded to the next bidder with the next highest point total.

Performance shall start not later than five (5) days, or on the express date set by the awarding agency and the Contractor, after all approvals have been obtained and the agreement is fully executed. Should the Contractor fail to commence work at the agreed upon time, the awarding agency, upon five (5) days written notice to the Contractor, reserves the right to terminate the agreement. In addition, the Contractor shall be liable to the State for the difference between Contractor's Proposal price and the actual cost of performing work by another contractor.

B-17 Bidders Costs – Costs incurred in developing the proposal or in anticipation of award or prior to full and final execution of the agreement are entirely the responsibility of the bidder and shall not be chargeable to the State of California.

B-18 Small Business Enterprise Preference Program – The standard contract language for the Small Business Enterprise (SBE) preference program can be found at the Internet web site - www.osmb.dgs.ca.gov/program.htm

